

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

AMBER TILLEY and MICHAEL TILLEY, as next §  
friend for their minor child, P.T., §

§ Case No.:4:12-cv-00408-Y

Plaintiff, §

v. §

PEASTER INDEPENDENT SCHOOL DISTRICT; §  
JULIE WEST, individually and as an §  
employee of Peaster Independent School District; §  
DEBBIE VAN RITE, individually and as an §  
employee of Peaster Independent School District; §  
DOES I-XX, inclusive, §

Defendants. §

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**UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO  
DEFENDANTS' MOTION TO DISMISS AND BRIEF IN SUPPORT  
(SECOND REQUEST)**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COME Plaintiffs, Amber Tilley and Michael Tilley, filing this, their Plaintiffs' Unopposed Motion for Extension of Time to Respond to Defendants' Motion to Dismiss and Brief in Support (Second Request), showing unto this honorable Court as follows:

I.

Defendants filed their Motion to Dismiss and Brief in Support on October 30, 2012.

Pursuant to Local Rules 7.1(e), Plaintiffs' response would have ordinarily been due on November 20, 2012. On November 28, 2012, this Honorable Court entered its Order Granting Extension extending Plaintiffs' response deadline to December 4, 2012.

II.

Since receiving said Motion and the Court's Order Granting Extension, the undersigned counsel has, apart from everyday work (involving numerous cases in several jurisdictions), devoted much time and attention to various matters, including but not limited to the following:

- Traveled to San Francisco, appeared and gave oral argument before the Ninth Circuit Court of Appeals on November 9, 2012, in regards to an appeal styled *Appeal Court No. 11-15979; Boar, Inc., et. al. v. County of Nye, et. al.*, D.C. No. 2:08-cv-1091.
- Prepared for trial set for November 26, 2012, before the District Court of Clark County, Nevada in regards to a case styled A-09-589431-C; *Oliva, et. al. v. Phoenix Gardens of Nevada, LLC*.
- Prepared lengthy discovery responses due November 30, 2012, in regards to a case styled 2:12-cv-00609-LRH-RJJ; *Ghatak v. State of Nevada ex rel Board of Regents of the Nevada System of Higher Education, on behalf of the University of Nevada, Las Vegas, et. al.*
- Appeared and gave oral argument before the District Court of Clark County, Nevada in opposition to a motion to dismiss in regards to a case styled A-12-664637-C; *Carter v. Diamond Resorts International, LLC*.
- Prepared and filed an opposition to a motion for summary judgment in regards to a case styled 3:11-cv-00336-LRH-VPC; *Borovac v. Churchill County School District, et. al.*

III.

Plaintiffs hereby request an additional extension of time, up to and including December 11, 2012, to file their Opposition to Defendants' Motion to Dismiss and Brief in Support.

IV.

The undersigned counsel has contacted opposing counsel for Defendants, and they are unopposed to Plaintiffs' request for a seven (7) day extension.

WHEREFORE, Plaintiffs request that the Court grant this Motion for Extension of Time to Respond to Defendants' Motion to Dismiss and Brief in Support until December 11, 2012.

Respectfully submitted:

*/s/ Jason J. Bach*  
JASON J. BACH  
Texas State Bar No. 24071556  
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Attorney in Charge for Plaintiff

**CERTIFICATE OF CONFERENCE**

This is to certify that on December 4, 2012, a conference was held with counsel for Defendant regarding the relief requested in this motion. Cynthia Hill, counsel for Defendants, does not oppose the relief requested.

*/s/ Jason J. Bach*  
JASON J. BACH

**NOTICE OF ELECTRONIC FILING**

The undersigned counsel hereby certifies that he has electronically submitted for filing a true and correct copy of the above and foregoing in accordance with the Electronic Case Files System of the Northern District of Texas on the 4th day of December, 2012.

*/s/ Jason J. Bach*  
JASON J. BACH

**CERTIFICATE OF SERVICE**

I hereby certify that on the 4th day of December, 2012, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to the following attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means:

CYNTHIA L. HILL  
306 W. 7th Street, Suite 1045  
Fort Worth, Texas 76102

*/s/ Jason J. Bach*

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JASON J. BACH